

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Examiner: Angell, Jon E.
Avi J. ASHKENAZI, et al..)
Application Serial No. 10/002,967) Art Unit: 1635
Filed: October 24, 2001) Confirmation No. 5881
For: SECRETED AND) Attorney's Docket No. 39780-2630 P1C72
TRANSMEMBRANE)
POLYPEPTIDES AND NUCLEIC) Customer No. 35489
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DATE MAILED: October 5, 2005

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

MAIL STOP AMENDMENT

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy is provided of each foreign patent, each publication other than U.S. patents and U.S. patent application publications, and each cited pending unpublished U.S. application along with a concise explanation of information in a foreign language pursuant to 37 C.F.R. §§1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. Form Supplemental PTO-1449 is enclosed and the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.


10/11/2005 BABRAHA1 00000091 081641 10002967

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- ☐ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage
-- OR --
- ☐ (3) It is being filed before the mail date of the first Office Action on the merits
-- OR --
- ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☒ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- ☐ a certification as specified in §1.97(e) is provided below; **or**
- ☒ a fee of **\$180.00** as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of **\$180.00** and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. **08-1641 (Attorney's Docket No. 39780-2630 P1C72).**

Respectfully submitted,

Dated: October 5, 2005


Barrie D. Greene (Reg. No.46,740)

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Form PTO-1449				Attorney's Docket No. 39780-2630 P1C72		Application Serial No. 10/002,967	
INFORMATION DISCLOSURE STATEMENT				Applicant(s) Avi J. ASHKENAZI et al.			
<i>(use several sheets if necessary)</i>				Filing Date: October 24, 2001		Group Art Unit: 1635	
U.S. PATENT DOCUMENTS							
Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date (if appropriate)
FOREIGN PATENT DOCUMENTS							
Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Translation
							YES NO
OTHER DOCUMENTS							
<i>(including author, title, date, pertinent pages, etc.)</i>							
Examiner Initials	Ref. No.	Title					
	1.	Dayhoff, Accession No.: P_AAB65293, WO 200073454-A1, Pub Date: December 7, 2000, A. J. Ashkenazi et al.					
	2.	Dayhoff, Accession No.: P_AAB48108, WO 200069885-A2, Pub Date: November 23, 2000, Y. Pan et al.					
	3.	Dayhoff, Accession No.: P_AAB33430, WO 200053758-A2, Pub Date: September 14, 2000, A. J. Ashkenazi et al.					
	4.	Dayhoff, Accession No.: P_AAB44248, WO 200053756-A2, Pub Date: September 14, 2000, A. J. Ashkenazi et al.					
	5.	Dayhoff, Accession No.: P_AAY41692, WO 9946281-A2, September 16, 1999, W. I. Wood et al.					
	6.	Dayhoff, Accession No.: AAH09371, Direct Submission, Submitted: June 12, 2001, R. Strausberg.					
	7.	Dayhoff, Accession No.: BAB15347, Direct Submission, Submitted: August 29, 2000, S. Sugano et al.					
	8.	Dayhoff, Accession No.: P_AAB48147, WO 200069885-A2, Pub Date: November 23, 2000, Y. Pan et al.					
	9.	Dayhoff, Accession No.: P_AAB48146, WO 200069885-A2, Pub Date: November 23, 2000, Y. Pan et al.					
	10.	Dayhoff, Accession No.: P_AAB48145, WO 200069885-A2, Pub Date: November 23, 2000, Y. Pan et al.					
	11.	GenBank, Accession No.: P_AAF44262, WO 200073454-A1, Pub Date: December 7, 2000, A. J. Ashkenazi et al.					
	12.	GenBank, Accession No.: P_AAC58595, WO 200053758-A2, Pub Date: September 14, 2000, A. J. Ashkenazi et al.					
	13.	GenBank, Accession No.: AK026068, Direct Submission, Submitted: August 29, 2000, S. Sugano et al.					
	14.	GenBank, Accession No.: BC009371, Direct Submission, Submitted: June 12, 2001, R. Strausberg.					

EXAMINER:	DATE CONSIDERED:
EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.	
*If an asterisk is placed beside the reference number, a copy is not provided because the reference was previously cited by or submitted to the PTO in a prior application that is identical in the statement and relied upon for an earlier filing date under 35 U.S.C. §120. 37 C.F.R. §1.98 (d).	



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FEE TRANSMITTAL for FY 2005

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**180.00**

Complete if Known

Application Number	10/002,967
Filing Date	October 24, 2001
First Named Inventor	Avi J. Ashkenazi
Examiner Name	Angell, Jon E.
Art Unit	1635
Attorney Docket No.	39780-2630 P1C72

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

08-1641(39780-2630P1C72)

HELLER EHRMAN, LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	300	2001	150	Utility filing fee	
1002	200	2002	100	Design filing fee	
1003	200	2003	100	Plant filing fee	
1004	300	2004	150	Reissue filing fee	
1005	200	2005	100	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below	Fee Paid
Total Claims	<input type="text"/>	-20** =	<input type="text"/>	X <input type="text"/>	= <input type="text"/>
Independent Claims	<input type="text"/>	-3** =	<input type="text"/>	X <input type="text"/>	= <input type="text"/>
Multiple Dependent				<input type="text"/>	= <input type="text"/>

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	360	2203	180	Multiple dependent claim, if not paid
1204	200	2204	100	** Reissue independent claims over original patent
1205	50	2205	25	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	120	2251	60	Extension for reply within first month
1252	450	2252	225	Extension for reply within second month
1253	1,020	2253	510	Extension for reply within third month
1254	1,590	2254	795	Extension for reply within fourth month
1255	2,160	2255	1,080	Extension for reply within fifth month
1401	500	2401	250	Notice of Appeal
1402	500	2402	250	Filing a brief in support of an appeal
1403	1,000	2403	500	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	500	2452	250	Petition to revive - unavoidable
1453	1,500	2453	750	Petition to revive - unintentional
1501	1,400	2501	700	Utility issue fee (or reissue)
1502	800	2502	400	Design issue fee
1503	1,100	2503	550	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))
1801	790	2801	395	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**180.00**

SUBMITTED BY

(Complete (if applicable))

Name (Print/Type)	Barrie D. Greene	Registration No. (Attorney/Agent)	46,740	Telephone	(650) 324-7000
Signature		Date	October 5, 2005		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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